

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DARWYN LEWIS,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

1:20-cv-00693-EPG (PC)

ORDER GRANTING APPLICATION TO
PROCEED *IN FORMA PAUPERIS*

(ECF No. 2.)

and

ORDER DIRECTING UNITED STATES
PENITENTIARY ATWATER TO FORWARD
PAYMENT OF INMATE FILING FEE

Plaintiff is a prisoner proceeding *pro se* pursuant to 42 U.S.C. § 1983 and has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed *in forma pauperis* will be granted.

Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding month's income credited to the plaintiff's trust account. The Warden of United States Penitentiary Atwater (or his or her designee) is required to send to the Clerk of the Court payments from the plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

1 In accordance with the above and good cause appearing therefore, IT IS HEREBY
2 ORDERED that:

3 1. Plaintiff's application to proceed *in forma pauperis* is GRANTED;

4 2. The Warden of United States Penitentiary Atwater (or his or her designee) shall
5 collect payments from the plaintiff's jail trust account in an amount equal to twenty per
6 cent (20%) of the preceding month's income credited to the plaintiff's trust account and
7 shall forward those payments to the Clerk of the Court each time the amount in the
8 account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of
9 \$350.00 has been collected and forwarded to the Clerk of the Court. The payments shall
10 be clearly identified by the name and number assigned to this action.

11 3. The Clerk of the Court is directed to serve a copy of this order and a copy of
12 plaintiff's *in forma pauperis* application on the Warden of United States Penitentiary
13 Atwater, via the court's electronic case filing system (CM/ECF) or via mail at 1 Federal
14 Way, Atwater, CA 95301.

15 4. The Clerk of the Court is directed to serve a copy of this order on the Financial
16 Department, U.S. District Court, Eastern District of California, Sacramento Division.

17 IT IS SO ORDERED.

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19 Dated: May 22, 2020

20 /s/ Eric P. Shoup
21 UNITED STATES MAGISTRATE JUDGE
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